

In The Court Of Appeal Of The State Of California

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Sixth Appellate District

San Jose, California

MONDAY, JANUARY 9, 2006

(no minute approved orders)

TUESDAY, JANUARY 10, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and Beth Miller, Deputy Clerk.

H026898 PEOPLE V. PULIZZI

Cause called and argued by Jean F. Matulis appearing for Appellant and by Ann P. Wathen, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H026042 PEOPLE v. LEON

Cause called and argued by Lynda A. Romero appearing for Appellant and by Jeffrey M. Laurence, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Elia, J. leaves the bench and Duffy, J. takes the bench.

H028605 KILGORE on Habeas Corpus

Cause called and argued by Brian G. Walsh, Deputy Attorney General, appearing for Appellant and by Heather Mackay appearing for Respondent. Cause ordered submitted.

H027895 MELLEN v. JACKINS

Cause called and argued by Appellant Susan Mellen, appearing in propria persona and by Bernard N. Wolf appearing for Respondent. Cause ordered submitted.

H027632 KING v. STANFORD UNIVERSITY

Cause called and argued by John Michael Grenfell appearing for Appellant Stanford University and by Daniel U. Smith appearing for Appellant King. Cause ordered submitted.

H027980 CALIFORNIA STATE AUTOMOBILE ASSOCIATION INTER-INSURANCE BUREAU v. CITY OF PALO ALTO

Cause called and argued by Alan J. Jang appearing for Appellant and by William B. Mayfield appearing for Respondent. Cause ordered submitted.

The court is in recess until the 1:30 p.m. calendar.

Sixth Appellate District

San Jose, California

Tuesday, January 10, 2006 (continued)

H028826 In re ALEXIS G., a Minor; DFCS v. SANDRA G., et al.

The order of the juvenile court terminating parental rights is affirmed. (not published)

(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)

Filed January 10, 2006

The following case is submitted this date:

H029564 HEATHER G. v. SUPERIOR COURT

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.

Present: Rushing, P.J.; Premo, J.; Bamattre-Manoukian, J.; and J. Michel, Deputy Clerk.

H028351 PEOPLE v. LEWIS

Cause called and argued by Paul Couenhoven appearing for Appellant and by Morris Lenk, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H028431 CALTRON PUBLICATIONS, INC., et al. v. WILKENS

Cause called and argued by Peter W. Gumaer appearing for Appellant and by Anthony H. Santucci appearing for Respondents. Cause ordered submitted.

Manoukian, J. leaves the bench and Duffy, J. takes the bench.

H028408 VANDEWEGHE, et al v. MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Cause called and argued by Gary L. Olimpia appearing for Appellants and by Scott Dallas Noble appearing for Respondent. Cause ordered submitted.

H028634 TOBIAS v. THE CITY OF SANTA CRUZ, et al.

Cause called and argued by Kristen Elizabeth Powell appearing for Appellant and by John G. Barisone appearing for Respondents and by John M. Gallagher appearing for Respondents. Cause ordered submitted.

H028443 In re the Marriage ABDULWADUD & ABBAS

Cause called and argued by Stephen J. Usoz appearing for Appellant and by Stuart Fishman appearing for Respondent. Cause ordered submitted. Court stands in adjournment.

In The Court Of Appeal Of The State Of California

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Sixth Appellate District

San Jose, California

Tuesday, January 10, 2006 (continued)

H028860 In re GABRIEL G., et al., Minors; DFCS v. STEPHANIE G.
By the Court*:

Appellant's petition for rehearing is denied.

Filed: January 10, 2006

*Before Premo, Acting P.J., Elia, J. and Bamattre-Manoukian, J.

WEDNESDAY, JANUARY 11, 2006

(no minute approved orders)

THURSDAY, JANUARY 12, 2006

H028434 MANCINI v. COUNTY OF SANTA CRUZ, et al.

By the Court*:

Appellant's petition for rehearing is denied.

Filed: January 12, 2006

*Before Elia, Acting P.J., Bamattre-Manoukian, J. and Duffy, J.

H029027 PEOPLE v. LARA

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed January 12, 2006

H028694 PEOPLE v. CERVANTES

The order denying defendant's motion to vacate is affirmed.

(not published)

(Duffy, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)

Filed January 12, 2006

H029555 JUAN M. v. SUPERIOR COURT; MONTEREY COUNTY DEPT. OF
SOCIAL SERVICES, et al.

Let a peremptory writ of mandate issue directing the trial court to vacate its order of October 28, 2005, granting the Department's motion to vacate the evidentiary hearing and to dismiss the habeas corpus proceeding, and to enter a new order denying the Department's motion. Respondent court is directed to comply with our remand directions in case No. H028600 forthwith.

The temporary stay of juvenile court proceedings issued on December 7, 2005, is vacated upon the finality of this opinion.

This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24(b)(3).) (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed January 12, 2006

Sixth Appellate District

San Jose, California

THURSDAY, JANUARY 12, 2006

H026757 AJAXO, INC. v. E*TRADE GROUP, INC., et al.
H027383 AJAXO, INC. v. E*TRADE GROUP, INC.; EVERYPATH, INC.

By the Court*:

The petition for rehearing of appellant E*Trade Group, Inc., is denied.

Filed: January 12, 2006

*Before Rushing, P.J., Premo, J. and Elia, J.

FRIDAY, JANUARY 13, 2006

H028700 LAUCELLA, et al. v. IRELAND SAN FILIPPO, LLP et al.

The orders of February 14, 2005, are affirmed. (not published)

(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)

Filed January 13, 2006

H029012 PEOPLE v. POWELL

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Rushing, P.J., Mihara, J.)

Filed January 13, 2006

H028024 PEOPLE v. BALLARD

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)

Filed January 13, 2006

H022141 MELCHER v. MELCHER

H022603 MELCHER v. MELCHER

H022935 MELCHER v. MELCHER

H023475 MELCHER v. MELCHER

The challenged judgments and orders are all affirmed. More specifically: In H022141, we affirm the August 2000 minute order and the September 2000 formal order for listing and sale of the Stonewall Beach property. In H022603, we affirm the November 2000 judgment on reserved issues and the December 2000 order after hearing. In H022935, we affirm the challenged orders entered in February 2001 and April 2001, which concern execution of various documents related to the Stonewall Beach sale and placement of the proceeds of that sale into a blocked account.

In H023475, we affirm the June 2001 order modifying the blocked account. Respondent shall have costs on appeal. (not published) (McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed January 13, 2006

In The Court Of Appeal Of The State Of California

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Sixth Appellate District

San Jose, California

Friday, January 13, 2006 (continued)

The following cases are submitted this date:

H028429 PEOPLE v. ROBLEDO

H028606 PEOPLE v. MARTINEZ